

REMARKS

Reconsideration and allowance are respectfully requested. Claims 1-36 remain pending. Claims 7, 18, 23, and 27 are amended only to correct typographical errors. Such amendments are unrelated to the current rejections.

Claims 1-4, 6-10, 12-16, 18-21, and 23-36 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2001/0000505 A1 to Segal et al. (“Segal”). Claims 5, 11, 17, and 22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Segal in view of U.S. Patent No. 6,160,489 to Perry et al. (“Perry”). Applicant respectfully traverses all rejections.

Claim 1 is directed to a communication apparatus having a first portion, a second portion and a vibrator. The claimed apparatus has a first detector configured to detect an operation to at least partially separate the first portion from the second portion, and a second detector configured to detect a missed event in the apparatus. The claimed apparatus also has a controller coupled to the first and second detectors and configured to activate the vibrator responsive to the first detector detecting the operation if the second detector has detected the missed event. For example, the missed event may be a missed call (see, e.g., claim 2).

Segal discloses a portable cellular phone system including a portable flip-style cellular phone 34. (Segal, Figs. 1 and 7). However, phone 34 does not have a controller configured to activate a vibrator responsive to a first detector detecting the operation if a second detector has detected the missed event, as claimed. The Office Action refers to the claim language and asserts that paragraphs 0116-0118 and 0182-0184 of Segal disclose this feature, but as discussed below it is not understood how the cited portion of Segal allegedly discloses this feature.

Paragraphs 0116-0118 of Segal discuss how phone 34 may be powered on and used by opening the phone and dialing, and how phone 34 may also be deactivated by closing the phone. This clearly fails to teach or suggest activating a vibrator as claimed.

Paragraphs 0182-0184 discuss how paging circuitry 107 provides a vibration upon receiving a page signal 36. This portion of Segal simply explains that, when an incoming call is received, phone 34 can vibrate to indicate the currently incoming call (which, incidentally, is not

a missed call). (Segal, *id.*, paragraph 0092). In other words, phone 34 has a vibrating “ring.” This portion of Segal goes on to discuss how the incoming call may be answered by opening the phone, whereupon the phone is connected to the call. However, this does not teach or suggest the claimed invention. In particular, this portion of Segal fails to teach or suggest activating a vibrator *responsive to* the first detector detecting an operation to at least partially separate a first portion from a second portion of a communication apparatus. To the contrary, phone 34 of Segal activates a vibrator *before* the phone is opened. Thus, the vibration it cannot possibly be responsive to opening the phone since the phone has not yet been opened. Thus, the vibration in Segal is responsive only to the incoming call signal (i.e., page signal 36), and not to the separation of a first portion from a second portion of the phone as claimed.

In addition, paragraphs 0182-0184 of Segal fail to teach or suggest activating a vibrator *if the second detector has detected the missed event*. In Segal, the existence of a missed event (e.g., a missed call) is irrelevant to whether phone 34 will vibrate to indicate a current incoming call.

Nor does any other portion of Segal teach or suggest the above-discussed features of claim 1. For at least these reasons, it is submitted that claim 1 is allowable over Segal.

Independent claims 7, 13, 18, 23, 27, and 31 are also allowable over Segal for at least similar reasons as claim 1, and further in view of the differing features recited therein.

Claims 2-6, 8-12, 19-22, 24-26, 28-30, and 32-36 are also allowable over Segal for at least those reasons that their respective independent claims are allowable, and further in view of the additional features recited therein. For example, claim 2 recites that the missed event is a missed call. The Office Action relies on paragraphs 0179-0187 of Segal. This portion of Segal does indicate that a user has the choice not to answer a call, in which case the caller is directed to voicemail. (Segal, paragraph 0184). However, that is beside the point. Whether or not the user chooses to answer the call is irrelevant to whether phone 34 *activates a vibrator if a second detector has detected a missed call*, as required by claim 2. It does not, and so claim 2 is allowable over Segal for these further reasons.

As to the rejection of claims 5, 11, 17, and 22 over a proposed combination of Segal and

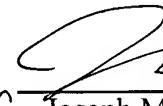
Perry, Perry fails to overcome the above-discussed deficiencies of Segal. Therefore, these claims must also be allowable over Segal and Perry, either alone or in any combination.

All rejections having been addressed, it is believed that the present application is in condition for immediate allowance. It is further believed that no fees are due in connection with this paper. Nonetheless, should any fees be due, please charge such fees to our Deposit Account No. 19-0733. Should the Examiner have any questions or believe an interview with Applicant's representative would be beneficial, the Examiner is invited to contact the undersigned at the number below.

Respectfully submitted,

BANNER & WITCOFF, LTD.

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By:  Reg. No. 43338
for Joseph M. Potenza
Registration No. 28,175

Eleventh Floor
1001 G Street, N.W.
Washington, D.C. 20001-4597
(202) 824-3000